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US EPA RECORDS CENTER REGION 5



426519

Walter C. Holton, Jr.
Attorney & Counselor at Law

February 2, 2010

301 NORTH MAIN STREET
SUITE 804
WINSTON-SALEM, NORTH CAROLINA
27101

Michelle Kerr, Remedial Project Manager
U.S. Environmental Protection Agency – Region 5
Superfund Division (SR-6J)
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

Walter C. Holton, Jr.
Attorney & Counselor at Law
wholton@walterholton.com

Re: General Notice and Information Request for the Chemetco Superfund Site in
Hartford, Illinois

Dear Ms. Kerr:

Lynne R. Holton
Attorney & Counselor at Law
lholton@walterholton.com

I represent Key Services, Inc. and am writing in response to your General Notice and Information Request letter of November 30, 2011. Key Services has not contributed to the delivery or release of hazardous substances at the Hartford, Illinois Chemetco site.

Carrie F. Vickery
Attorney & Counselor at Law
cvickery@walterholton.com

Key Services, Inc. is a small business that builds and repairs computer equipment for the retail industry. In the course of business, Key Services sometimes obtains or possesses products that cannot be repaired or re-used. Company technicians remove any and all usable components from these products and then the scrap is stored. When a certain amount of these end-of-life products accumulate, Key Services arranges for recycling. The company's practice has always been to arrange for a certified recycler to take possession of the scrap products. The company has always made its best efforts to ensure that the recycling entity operates in an environmentally responsible manner.

Kippi B. Smith
Certified Paralegal
ksmith@walterholton.com

In 2000, Key Services arranged for Chemetco to take delivery of the scrap material based on Chemetco's assertions and assurances of being a responsible recycler. Before turning any scrap products over to Chemetco, Key Services verified that Chemetco had all appropriate EPA and state permits. Key Services provided scrap items to Chemetco that were materials appropriate for recycling, solely for that purpose.

Amy Delp Byrd
Attorney & Counselor at Law
(1978-2009)

Moreover, Key Services did not send any materials to the Hartford, Illinois site. Rather, the company sent all such materials sent to Chemetco for recycling at their location in Granite City, Illinois. I will be happy to provide copies of all bills of lading verifying these shipments for your review upon your request.

PHONE (336) 777-3480
FAX (336) 722-3478

Walter C. Holton, Jr., PLLC
On the
internet at
www.walterholton.com

Key Services does not possess or dispose of any "hazardous" substances as defined in 40 C.F.R. 302.4. Key Services has never sent hazardous materials to any Chemetco site.

Key Services used diligent and responsible care in its dealings with Chemetco and relied upon Chemetco's assertions of responsible recycling. Prior to engaging Chemetco as a recycler, Key Services obtained Chemetco's Federal EPA permit numbers, their Illinois EPA permit numbers, and their Air Permit ID numbers. Chemetco held themselves out as a responsible recycler.

Since 1995, Key Services has voluntarily participated in IBM environmental audits, the most recent occurring in 2007. These audits fully documented the company's recycling plan. Each audit has shown Key Services recycling efforts to be responsible and in accordance with EPA standards.

Thank you for your attention to this matter. I look forward to discussing the situation further as necessary.

Sincerely,

A handwritten signature in blue ink that reads "Walter C. Holton, Jr." with a stylized flourish at the end.

Walter C. Holton, Jr.

WCH/kbs

cc: Joe Tuohy / Key Services, Inc.